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MEMO ENDORSED

April 7, 2008

VIA FACSIMILE

The Honorable P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 2260
New York, NY 10007

Fax No.: (212) 805-7949

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Re: Galbraith & Paul, Inc. v. Ruby Tuesday Inc., et al. - 07-CV-10512(PKC)(AJP)

Dear Judge Castel:

We are counsel for defendant Ruby Tuesday, Inc and are writing on behalf of all parties (including plaintiff) to request a further one-week extension of time for defendants to answer or move with respect to the Amended Complaint. Pursuant to the Court's Order, dated April 1, 2008, defendants' current deadline to answer is Monday, April 7, 2008.

The parties believe that good cause exists for the further extension of time, since the parties are finalizing a settlement agreement which will provide for the dismissal, with prejudice, of this action. Several drafts of the proposed agreement have been exchanged between plaintiff and defendants, and all parties expect that a final version of the agreement will be agreed upon shortly.

The Court has granted defendants four prior extensions of time to answer or move with respect to the Amended Complaint (three such extensions with the consent of plaintiff). The parties believe that the requested additional time, up to April 14, 2008, will allow for a settlement agreement to be finalized and hopefully executed, and a dismissal of this action to be filed.

Counsel for each of the parties has reviewed and approved this letter to the Court. Enclosed is a proposed form of order.

RA:mmr
Enclosure

Respectfully submitted,

Robert Alpert

Good cause shown
has been shown
time to respond for all
defendants extended to April 14, 2008.

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S O R D E R E D

with, USDS
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